

AMENDED IN ASSEMBLY JULY 14, 2009

AMENDED IN ASSEMBLY JUNE 30, 2009

AMENDED IN SENATE MAY 28, 2009

AMENDED IN SENATE APRIL 2, 2009

SENATE BILL

No. 769

Introduced by Senator Alquist

February 27, 2009

An act to add ~~Section 101318~~ *Sections 101318 and 101318.5* to the Health and Safety Code, relating to federal funding.

LEGISLATIVE COUNSEL'S DIGEST

SB 769, as amended, Alquist. Federal funding: supplemental appropriations: pandemic flu.

Existing law establishes procedures and requirements to govern the allocation to, and expenditure by, local health jurisdictions of federal funding received for the prevention of, and response to, bioterrorist attacks and other public health emergencies. Existing law provides that these procedures apply only when local health jurisdictions are designated by a federal or state agency to manage the funds for public health preparedness and response to bioterrorist attacks and other public health emergencies, pursuant to a specified federally approved plan. Existing law repeals these provisions as of January 1, 2011, as specified.

This bill would, commencing with the 2009–10 fiscal year, provide that federal funding received pursuant to the federal 2009 Supplemental Appropriations Act for pandemic flu for purposes of state and local public health and emergency response infrastructure would be subject to appropriation by the Legislature for allocation by the State

Department of Public Health pursuant to the specified federally approved plan.

This bill would also require the department to use funds allocated pursuant to the 2009 Supplemental Appropriations Act, as specified, to expand the capacity of the California Health Alert Network, or another appropriate communications network, in a manner that would allow the department to communicate electronically and in a timely manner with every general acute care hospital and primary care clinic in the state during a public health emergency.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. The Legislature finds and declares all of the
2 following:

3 (a) The Legislature intends to ensure that federal funds granted
4 for the purpose of emergency preparedness for responding to a
5 pandemic flu outbreak are distributed appropriately to local public
6 health jurisdictions.

7 (b) The Legislature acknowledges that, as a result of the recent
8 economic downturn, California's local health departments have
9 lost tens of millions of dollars in funding and hundreds of
10 employment positions.

11 (c) The public health infrastructure and workforce at the local
12 level are the first line of defense against communicable disease.
13 Without proper personnel in place, a response to the H1N1 flu
14 virus or any other public health threat is significantly weakened.

15 SEC. 2. Section 101318 is added to the Health and Safety Code,
16 to read:

17 101318. (a) Commencing with the 2009–10 fiscal year, federal
18 funding received pursuant to the 2009 Supplemental Appropriations
19 Act (~~H.R. 2346~~) (*Public Law 111-32*) for pandemic flu for purposes
20 of state and local public health and emergency response
21 infrastructure, including, but not limited to, epidemiology,
22 communicable disease response, workforce, laboratory capacity,
23 public communications, and community mitigation guidance and
24 planning, shall be subject to appropriation by the Legislature in
25 the annual Budget Act or other statute for allocation by the
26 department in accordance with this article.

1 (b) This article shall govern instances when federal funding is
2 allocated and expended for disease control and prevention activities
3 by local health jurisdictions.

4 (c) The funds appropriated pursuant to this section shall be
5 allocated pursuant to the federally approved collaborative
6 state-local plan. The proportion of funds allocated to local health
7 jurisdictions shall be the same as the proportion stipulated in the
8 2008–09 federally approved collaborative state-local plan.

9 *SEC. 3. Section 101318.5 is added to the Health and Safety*
10 *Code, to read:*

11 *101318.5. Using funds allocated pursuant to the 2009*
12 *Supplemental Appropriations Act (Public Law 111-32), and to the*
13 *extent permitted by federal law, the department shall expand the*
14 *capacity of the California Health Alert Network, or another*
15 *appropriate communications network, in a manner that allows the*
16 *department to communicate electronically and in a timely manner*
17 *with every general acute care hospital and primary care clinic in*
18 *the state during a public health emergency.*